

REMARKS

This application has been carefully studied and amended in view of the Office Action dated January 7, 2010. Reconsideration of that action is requested in view of the following.

Reconsideration is respectfully requested of the rejection of Claims 17-18 and 21-23 as unpatentable over Short in view of Schmoyer and the rejection of Claims 19-20 in view of that combination of references and further in view of the admitted prior art and Walles.


Claim 17 has been amended to point out that in the process for manufacturing a multilayer plastic fuel tank the portions of the sulphonated plastic part are machined prior to the welding so as to substantially remove a sulphonated upper surface. This step is clearly not shown in the prior art whether taken individually or in any reasonable combination thereof.

In the Office Action Examiner Musser indicated that applicant had provided no evidence of unexpected results. Examiner Musser's attention, however, is directed to the Specification at page 8, line 16 through page 9, line 17 which describe in detail an exemplary embodiment of the invention. The embodiment consists of the production of a particular sulphonated upper part of a venting valve, and the welding of that part to a wall opening in a particular multilayer plastic tank. Measurement data of the fuel permeability of the sulphonated part are disclosed, proving a clear advantage over the prior art. Page 9, lines 2-4 specify that "[to] obtain a high quality weld, the weld edges (3) were machined so as to remove the sulphonated upper surface over a depth of 1mm".

This portion of the Specification not only provides support for the amendment made to parent Claim 17, but in addition sets forth the advantages with regard to the claimed process. In view of these results and in view of the lack of disclosure of such method in the prior art it is respectfully submitted that parent Claim 17 and its dependent claims should be allowed.

Dated: April 6, 2010

Respectfully submitted,

By 
Harold Pezzner

Registration No.: 22,112
CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street
P.O. Box 2207
Wilmington, Delaware 19899
(302) 658-9141
(302) 658-5614 (Fax)
Attorney for Applicant

767699